

Docket No. SPSUP0101WOUS

IFW

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant: Sergey I. Chernysh

Serial No: 10/585,712

Filed: July 11, 2006

For: ANTIVIRAL PREPARATION

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned



## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed, except for (a) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120, and (b) copies of each cited U.S. patent and each U.S. patent application publication in accordance with the waiver of the requirement under 37 CFR 1.98(a)(2)(i) for submission of U.S. patent references in applications filed after June 30, 2003, as published in the Official Gazette Notice dated 5 August, 2003.

Serial No.: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

(a) \_\_\_\_\_ A copy of each English language version of a search report (or EPO Search Report) indicating the degree of relevance found by the foreign office of each document being submitted from the search report, is being submitted herewith or has previously been submitted.

(b) \_\_\_\_\_ Attached is a "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

(a) \_\_\_\_\_ Within 3 months of the filing date or date of entry into the National Stage.

(b) X Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.

(c) \_\_\_\_\_ Before the mailing date of a first Office Action on the merits after a first or second submission after final rejection under 37 C.F.R. 1.129(a).

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.F./

- (d) \_\_\_ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.
- (1) \_\_\_ The required certification is given below, or
- (2) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or
- (3) \_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988
- (e) \_\_\_ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.
- (1) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p), or
- (2) \_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988.

4. Certification (if applicable)

- (a) \_\_\_ The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.
- (b) \_\_\_ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the undersigned's knowledge after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

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CERTIFICATE OF MAILING, FACSIMILE OR ELECTRONIC TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is  
x being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address above.  
\_\_\_ being transmitted via the USPTO Electronic Filing System.

Denise G. Bachtel  
Denise G. Bachtel

October 24, 2006  
Date

Form PTO-1449 (Modified)  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	Atty Docket No. <b>SPSUP0101WOUS</b>	Serial No. <b>10/585,712</b>
	Applicant: <b>Sergey I. Chernysh</b>	
	Filing Date <b>07/11/2006</b>	Group <b>Not Yet Assigned</b>

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date (MM/YYYY)	Name	Class	Sub-class	Filing Date if Appropriate
	5,480,782	01/1996	Nonoyama et al.	435	70.3	
	6,337,093	01/2002	Kim et al.	424	538	

## FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Sub-class	Translation	
						Yes	No
	81/03124	12 Nov. 1981	WO				
	90/14098	29 Nov. 1990	WO				
	97/06820	27 Feb. 1997	WO				
	2 695 392	11.03.1994	FR				X
	43 34 600 A1	11.10.1993	DE				X
	11-98997	13.04.1999	JP			Abstract	
	2 172 322 C1	20.08.2001	RU			Abstract	
	99102416 A	20.11.2000	RU			Abstract	

## OTHER ART

Examiner Initial	Author, Title, Date, Pertinent Pages, etc.
	G. N. Gornostaev "Nasekomye SSSR", Publishing House "Mysl", Moscow, 1970, pages 300-303 and 312-315.
	Ershov F.I., Antiviral Preparations, Moscow, Medicine Publishing House, 1998, Pages 20-21 and 24-25.
	Chernysh et al., Antiviral and Antitumor Peptides from Insects, PNAS, 2002, Pages 12628-12632.

EXAMINER	/Russell Fiebig/	DATE CONSIDERED	06/03/2011
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

## Information Disclosure Statement PTO-1449 (Modified)

The identification of any reference is not intended to be, and should not be understood as being, an admission that such publication, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given reference may have a later effective date than first seems apparent or the reference may have an effective date which can be antedated. The "prior art" status of any reference is a matter to be resolved during prosecution.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.F./